

# Single Family Residence Projects

## Wetland Permit, Type I

Handout #35-C Revised 8/31/06



### What is a Wetland Permit?

Clark County's Wetlands Protection Ordinance (WPO), Clark County Cod 40.450, is designed to protect wetlands and streams that do not fall under the County's Shoreline Management and Habitat Conservation programs. The WPO regulates activities within wetlands and areas immediately surrounding wetlands (i.e., wetland buffers) through the wetland permit process. Wetlands located on adjacent properties may affect a subject site due to extension of wetland buffers across property boundaries. A Wetland Permit from Clark County is required for any one of the following within a wetland or wetland buffer:

- Construction or placement of new structures or additions to existing structures
- Clearing vegetation and grading
- Alteration of wetland hydrology through ditching, diking, piping, or other means

Exemptions can be found in CC 40.450.010(C). State and federal permits may also be required for proposed work within wetlands.

### What is a wetland rating?

Wetlands are classified into four categories (I, II, III, and IV) to determine the level of protection warranted using the Revised Wetland Rating System for Western Washington. This rating system scores the wetland for its ability to provide water quality, water quantity, and habitat functions. The total of these scores determines the wetland rating.

Category I and II are high value wetlands that are very difficult to replace so impacts must generally be avoided. Category III and IV wetlands are moderate in quality and easier to replace or can be altered through a wetland permit provided that wetland functions are replaced (i.e. mitigated).

Wetland buffers and mitigation ratios are determined by the wetland rating. The higher the quality of the wetland the more mitigation would be required to offset impacts or replace functions.

### What if the requirements of the ordinance render my house or addition "unbuildable"?

The ordinance contains a provision for reasonable use exceptions. In the case of construction on a legally established residential lot that is not restricted by platted development envelopes or a conservation covenant, the ordinance (CCC 40.450.010(B)(3) guarantees the right to construct a residence and "normal" accessory structures (a driveway, a deck, a well, a septic system, a shop or detached garage, etc.). It is important to note that mitigation for wetland and buffer impacts will still be required; however the standard mitigation requirements may not apply if there is limited mitigation potential on the site.

### Will SEPA be required?

Not necessarily. Type I Wetland Permits are exempt from SEPA unless there is another trigger such as grading in excess of 500 cubic yards, grading in a 100 year floodplain, or construction in a Shoreline Management Area.

### What is the application process?

The first step is to submit a completed application form and fee, together with the required submittal items to the Permit Services Center. The County conducts two application checks to ensure that applications are complete before staff begins their review process. Prior to accepting your application, the Permit Services staff will conduct a "**Counter Complete**" review of your submittal package. This initial review ensures that the required items (those preceded by a bold

underline) within the **Wetland Permit Review Submittal Requirements** have been submitted before accepting your application (see attached submittal list).

Once your application is accepted, copies of your submittal package are routed to the wetland review staff. Staff conducts a second completeness check, known as the “**Fully Complete**” or technical review. This more detailed review includes a site visit to verify that wetlands and buffers are affected by the project and ensures that **all of the bulleted items** preceded by check-boxes on the attached submittal list have been submitted. As an example, does the plot plan have sufficient dimensions to accurately locate the structure on the site?

If **all** of the submittal requirements have been met, the application will be processed.

If any required items are missing from your submittal, you will be contacted by County staff with a list of the missing items. If you do not submit the requested information within 30 days of a written request for additional information, staff will return your application and refund the application fees, less any processing costs incurred to date.

### **What is a Staff Report and how long will the process take?**

Staff will review the wetland permit application to analyze impacts from the project on the wetland and its buffer. Staff will then issue a staff report outlining findings of fact regarding approval criteria, appropriate mitigation, and attach conditions of approval to ensure the project complies with the Wetland Protection Ordinance.

If the project cannot comply with the code as proposed, staff will contact you and explain the issues, you can then choose to modify your proposal so that it can be approved.

Once a project is determined to be fully complete, review will be completed within 21 days unless you choose to place your application on “hold” to allow for revisions to the proposed plan.

### **Can the decision be appealed?**

Type I decisions may be appealed to the County Hearings Examiner by the applicant or any person or group. An appellant must submit an appeal application and **\$1,021** fee within 14 calendar days after the written notice of the decision is mailed.

### **After my Wetland Permit is approved, what is next?**

You are ready to proceed with your project and complete your mitigation. Staff will coordinate with the building inspector to make sure the permit conditions are met.

But beware, there may be a time table in the decision that requires reporting of the progress of any mitigation required. Only once you have documented that your mitigation is complete, your wetland permit file will be closed.

**Note:** This handout is not a substitute for county code. For more detailed information, please refer to Clark County Code, Chapter 40.450.

**Public Service Center  
Community Development Department  
1300 Franklin Street  
P.O. Box 9810  
Vancouver, WA 98666-9810  
Phone: (360) 397-2375; Fax: (360) 397-2011  
Web Page at: <http://www.clark.wa.gov>**



**ADA COMPLIANCE PROGRAM:**

For an alternate format, contact the Clark County ADA Compliance Office, V (360) 397-2375-2025; TTY (360) 397- 2445;  
E-Mail: [ADA@clark.wa.gov](mailto:ADA@clark.wa.gov)

## **DEVELOPMENT REVIEW SINGLE FAMILY RESIDENCE PROJECTS WETLAND PERMIT APPLICATION SUBMITTAL REQUIREMENTS**

The following checklist identifies information required to be included with Wetland Pre-Determination Request. **All** items with a bold underlined space (*i.e.*, ) must be submitted before the application will be considered "Counter Complete."

### **REQUIRED ITEMS**

1.  **APPLICATION FORM** - The application form shall be completed and signed in ink by the applicant.
2.  **SUPPLEMENTAL WETLAND REVIEW APPLICATION FORM** (DS1594) - The form shall be completed in ink and attached to the application form under Item 2 above.
3.  **APPLICATION FEE** - The requisite fee listed on the Supplemental Wetland Permit Application Form shall accompany the application. Make checks payable to "Clark County Community Development."
4.  **VICINITY MAP** - Show the location of the site.
5.  **PLOT PLAN OR SITE PLAN** - Show existing and proposed site features.
  - Location of property lines, existing structures, existing development (septic, paving, gravel, etc.), and wetlands (if known);
  - Locations of proposed new development;
  - Dimensions of proposed structures and approximate distance from property line.
6.  **WETLAND DETERMINATION** - If the county has reviewed the site and issued a wetland determination, submit a copy of the determination and rating form with your application.

### **OPTIONAL ITEMS**

6.  **WETLAND DELINEATION REPORT** - *If you have completed a wetland delineation, the report will simplify the review of your application.*
7.  **DIGITAL SUBMITTAL** - *Submit a digital wetland file to comply with CCC 40.450.030(D)(3) so the county can map your wetland delineation in the GIS.*
8.  **WETLAND RATING FORM** - *If one has been completed with your wetland delineation.*
9.  **A WETLAND AND WETLAND BUFFER MITIGATION PLAN** - *If you do not submit a mitigation plan, staff will prepare one for you.*

**This application was determined to be Counter Complete on:**        \_\_\_\_/\_\_\_\_/\_\_\_\_

**Community Development Specialist:**\_\_\_\_\_

**DEVELOPMENT REVIEW  
WETLAND PERMIT REVIEW, TYPE I  
FEE SCHEDULE**

SINGLE FAMILY RESIDENCE PROJECTS

\$700

THE DIRECTOR MAY WAIVE ALL OR PART OF THE WETLAND PERMIT FEES PROVIDED;

1. The project is not intended to mitigate for wetland or buffer impacts; and
2. The project is not the result of an enforcement action.

# WETLAND REVIEW SUPPLEMENTAL APPLICATION FORM

(Form DS1594-Revised 8/30/06)



If an activity or project that is not explicitly exempt under CCC 40.450.010(C) affects wetlands or wetland buffers, a wetland review will be required. Use this form to identify the type of wetland review that is needed and the associated fee. The handouts referenced in the right hand column will list the specific submittal requirements.

Check applicable box(es) below	Review Type	Fee	Handout
<b>Wetland Pre-determination</b>			
A wetland pre-determination is a request to have County wetland staff conduct an on-site review of up to 40 acres. This is an <b>optional</b> application that should <u>only be submitted in advance of a development application</u> for the site or project.			
<input type="checkbox"/> Wetland Pre-determination	Type I	\$443	35B
<b>Single Family Residence Projects</b>			
Wetland permits associated with residential building permits and home business permits are Type I reviews. The reasonable use exception is for cases where the requirements of the ordinance would prevent the construction of a home and/or normal accessory structures on existing legal lots.			
<input type="checkbox"/> Single family residence	Type I	\$700	35C
<input type="checkbox"/> Home business	Type I	\$700	35C
<input type="checkbox"/> Reasonable use exception (single family)	Type I	\$700	35C
<b>Development and Grading Projects</b>			
Permit typing and submittal requirements for development permits is based on the extent of impact proposed. The reasonable use exception is for cases where the requirements of the ordinance would otherwise render the property unbuildable or would result in denial of a linear project (roads and utilities) deemed to be in the public interest.			
<input type="checkbox"/> Buffer modification only (no direct wetland impact)	Type I	\$700	35D
<input type="checkbox"/> Less than 0.1 acre of direct wetland impact	Type I	\$700	35E
<input type="checkbox"/> 0.1 acre of direct wetland Impact or more	Type II	\$1580	35E
<input type="checkbox"/> Reasonable use exception	Type III	\$7500	35F
<input type="checkbox"/> Reauthorization of an approved permit	Type I	\$700	35G
<b>Programmatic Permits</b>			
Programmatic permits are intended to be used for ongoing operations or repetitive activities at multiple sites where impacts and mitigation requirements can be applied without specific County review of each individual impact.			
<input type="checkbox"/> Programmatic permit – SEPA exempt	Type I	\$1400	35H
<input type="checkbox"/> Programmatic permit – SEPA required	Type I	\$2800	35H
<input type="checkbox"/> Reauthorization of an approved programmatic permit	Type I	\$700	35I
<input type="checkbox"/> <u>Combined wetland and habitat programmatic permit</u> (check the type of programmatic permit above)	10% fee reduction		

**This form is required for a Counter Complete wetland permit application**